

Unwanted text charges a by-product of run up to health care vote

WASHINGTON, D.C. – In response to numerous constituent complaints regarding unsolicited text messages, Congressman Wilson wrote to Federal Trade Commission Chairman Jon Leibowitz requesting his assistance to curb this practice. The text of the letter, which was sent today, follows:

March 25, 2010

The Honorable Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Ave. NW
Washington, DC 20580

Dear Chairman Leibowitz,

I am writing to inquire about a practice that has cost my constituents money in the form of higher cell phone bills: unsolicited text messages to cell phones. I request your assistance in finding a solution that balances the rights of consumers with the advances of today's communications technologies.

During the run up to Sunday's vote on health care reform, I received several hundred calls from constituents complaining that my office number had been texted to them from an unknown source. These messages asked them to call my office and express their opinion on the pending legislation. Not only had these people not signed up for such text messages, but their cell phone plans did not include text messages so they were charged per message fees from their carriers. These constituents were accumulating additional charges through no action of their own.

It is imperative that groups are able to get their message out and to protect freedom of speech, but I believe it should be done in a manner that does not financially harm consumers. For example, if you sign up with a group to receive text updates, I think that is very fair practice. If your home phone number or email address is acquired by a group, you have the right to delete the email, ignore the call, or even sign up for the "Do Not Call List", thereby protecting yourself from unwanted intrusions. However, none of these methods protect you from being charged per communication without your express consent.

Furthermore, none of my constituents that called to complain about these unsolicited texts were able to identify who had sent the texts. One constituent went so far as to contact his carrier to get the number blocked, but because every message came in under a different number, there was no way to stop the messages from being delivered. At the very least, consumers should

have the right to know who is responsible for the unanticipated text charges.

In summary, I would like to find out what steps have been made by the FTC to protect consumers from unsolicited text messaging practices. I look forward to working with you on the guidelines for these types of communications and ensuring that my constituents are protected. Thank you in advance for your attention to this matter. Please do not hesitate to contact me or Anne Sokolov in my office if you have any questions.

Sincerely,

Charlie Wilson
Member of Congress